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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FOURTH AGE LIMITED, et al.,

Plaintiffs,

v.

WARNER BROS. DIGITAL
DISTRIBUTION, INC., et al.,

Defendants.

WARNER BROS. DIGITAL
DISTRIBUTION, INC., et al.,

Counterclaim Plaintiffs,

v.

FOURTH AGE LIMITED, et al.,

Counterclaim Defendants.

Case No. CV 12-09912 ABC (SHx)

Hon. Audrey B. Collins
Hon. Mag. Stephen J. Hillman

DISCOVERY MATTER

**NOTICE OF MOTION AND
MOTION TO COMPEL THE
SAUL ZAENTZ COMPANY TO
PRODUCE IMPROPERLY
CLAWED BACK DOCUMENT**

**[JOINT STIPULATION;
DECLARATIONS OF JULIA R.
HAYE, JOHN C. ULIN, AND
SEAN M. CALLAGY; AND
[PROPOSED] ORDER FILED
AND/OR LODGED
CONCURRENTLY HEREWITH]**

Hearing Date: April 14, 2014
Hearing Time: 2:00 p.m.
Hearing Place: Ctrm. 550, Roybal
Building
Discovery Cut-Off: April 15, 2014
Action Filed: November 19, 2012
**Trial, Pretrial Conf., and Motion
Cutoff:** Vacated

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TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on April 14, 2014 at 2:00 p.m., or as soon thereafter as the matter may be heard by the above-entitled court, located at 255 East Temple Street, Los Angeles, California, in Courtroom 550, plaintiffs and counterclaim defendants Fourth Age Limited, Priscilla Mary Anne Reuel Tolkien, as Trustee of The Tolkien Trust, and The J.R.R. Tolkien Estate Ltd. (the "Tolkien Parties"), HarperCollins Publishers, Ltd., Unwin Hyman Ltd. and George Allen & Unwin (Publishers), Ltd. (the "HC Parties") (collectively, the "Tolkien/HC Parties") will and hereby do move the Court for an order (1) compelling defendant and counterclaim plaintiff The Saul Zaentz Company ("Zaentz") to produce, unredacted, a fax cover sheet, dated October 8, 1997, followed by a one-page letter from Joe Beck (Production Designer at Sierra Online) to Laurie Battle (the former Director of Licensing for Zaentz), which attaches a three-page memo containing Ms. Battle's highlighting and a handwritten note (the "Document").

The Tolkien/HC Parties and Zaentz submit the concurrently filed Joint Stipulation Regarding Motion to Compel The Saul Zaentz Company to Produce Improperly Clawed Back Document pursuant to Federal Rules of Civil Procedure 26, 30, and 37, and Central District Local Rules 37-2 and 37-1. Pursuant to Central District Local Rule 37-1, the Tolkien Parties, The HC Parties, and Zaentz have attempted unsuccessfully to resolve their disputes and therefore respectfully seek the assistance of the Court.

DATED: March 24, 2014

GREENBERG GLUSKER FIELDS
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By: /s. Bonnie E. Eskenazi
BONNIE E. ESKENAZI (SBN 119401)